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Security Council

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Resolution 1840 (2008)

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The Security Council,

Reaffirming its previous resolutions on Haiti, in particular its resolutions 1780 (2007), 1743 (2007), 1702 (2006), 1658 (2006), 1608 (2005), 1576 (2004) and 1542 (2004),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Reaffirming its support to the Government of Haiti and *welcoming* the recent formation of the Government of the Prime Minister Michèle Pierre-Louis and the approval of her Government's General Policy Declaration by the Parliament as steps towards providing governance, stability and democracy in Haiti, and as a new opportunity to place the long-term reform process back on track,

Encouraging the Government of Haiti and all the other relevant Haitian political, social and economic actors to strengthen democratic dialogue and forge the widest and most inclusive possible consensus, *recognizing* that leadership and constant political will of the Government of Haiti among the relevant Haitian actors is needed to strengthen governance and national capacities to address the highest priority issues in its national agenda,

Recognizing the devastation that has been suffered by the people of Haiti during the current hurricane season and the immediate, medium- and long-term damage done to the agricultural and infrastructure sectors as well as its impact on Haiti's stability and security situation,

Acknowledging the challenges facing the government to coordinate the delivery of humanitarian relief and to start the recovery efforts, as well as the need to establish a disaster and risk reduction strategy,

Recognizing that the rapid rise in global food and fuel prices continues to pose a significant threat to the overall process of stabilization in Haiti and has adversely effected the political, security, humanitarian, social, economic and development fields; and encouraging the international community to continue to support Haiti in this regard,

08-54896 (E)

Recognizing the inter-connected nature of the challenges in Haiti, reaffirming that sustainable progress on security, the rule of law and institutional reform, national reconciliation and development are mutually reinforcing, and welcoming the continuing efforts of the Government of Haiti and the international community to address these challenges,

Recognizing that respect for human rights, due process, addressing the issue of criminality and putting an end to impunity are essential to ensuring the rule of law and security in Haiti,

Commending the United Nations Stabilization Mission in Haiti (MINUSTAH) for continuing to assist the Government of Haiti to ensure a secure and stable environment and *deploring* again the violence which took place on April 2008, the Security Council *reiterates* its deep regret about the loss of life and the attacks against MINUSTAH facilities and United Nations personnel and *commends* the measures taken by MINUSTAH, *expressing* gratitude to the troops and police personnel of MINUSTAH and to their countries and paying tribute to those injured or killed in the line of duty,

Acknowledging some improvements in recent months in the security situation but noting that the security situation remains fragile,

Emphasizing the importance of cooperation between Haiti and neighbouring and regional states in effectively managing and securing both Haiti's land and maritime territorial borders, and in line with the shared interest to secure these borders,

Underscoring that international illicit trafficking of persons, drugs and arms continues to affect the stability of Haiti,

Emphasizing the role of regional organizations in the ongoing process of stabilization and reconstruction of Haiti and *calling on* MINUSTAH to continue to work closely with the Organization of the American States (OAS) and the Caribbean Community (CARICOM), *taking note* of the Joint Communiqué of the Consultative Group 2x9 on Haiti of 29 August 2008 (S/2008/640),

Stressing the importance of establishing credible, competent and transparent governance, and encouraging the Government of Haiti to further strengthen state institutions,

Welcoming the initial recommendations of the Consultative Commission on Prolonged Pretrial Detention, and expressing its strong support for further efforts on this issue as well as in addressing in an effective and timely manner the issue of prison overcrowding,

Calling on the Government of Haiti, in coordination with the international community, to continue to advance security sector reform, in particular as called for in the Haitian National Police (HNP) Reform Plan adopted by the Government of Haiti on 8 August 2006 as well as reinforcing the efforts to reform the critical judiciary and correctional systems,

Welcoming the initial steps taken towards strengthening the judicial system in accordance with the national justice reform plan, including judicial institution modernization and improvement in the access to justice, which are crucial aspects of Haiti's reconstruction and stabilization,

Welcoming the adoption of the new electoral law and looking for its early implementation in view of the forthcoming elections and also *welcoming* the support of the OAS to update the Haitian voter registry and *calling on* the Haitian authorities, with the continued support of donors and partners of Haiti and regional organizations as well as MINUSTAH and the United Nations system, to establish permanent and effective electoral institutions, and to hold elections consistent with Haiti's constitutional and legal requirements,

Underlining the need for the quick implementation of highly effective and visible labour intensive projects that help create jobs and deliver basic social services,

Acknowledging the efforts undertaken by Haitian authorities and the contributions of the international community and the United Nations system, supported by MINUSTAH, to respond to the humanitarian and other needs of disaster-affected people, and stressing the importance for future actions in this regard to be fully coordinated among donors and partners of Haiti, with the Government of Haiti as well as within the United Nations system,

Recognizing the importance of long-term commitment of international donors and partners of Haiti, encouraging them to continue strengthening their levels of assistance,

Stressing the need to reinforce the capacities of the Government of Haiti and its institutions, in particular in the coordination of international cooperation,

Welcoming the Secretary-General's report S/2008/586 of 27 August 2008,

Determining that the situation in Haiti continues to constitute a threat to international peace and security in the region, despite the progress achieved thus far,

Acting under Chapter VII of the Charter of the United Nations, as described in section 1 of operative paragraph 7 of resolution 1542 (2004),

1. *Decides* to extend the mandate of MINUSTAH as contained in its resolutions 1542 (2004), 1608 (2005), 1702 (2006), 1743 (2007), and 1780 (2007) until 15 October 2009, with the intention of further renewal;

2. *Expresses* its satisfaction with the reconfiguration of the Mission carried out in accordance with resolution 1780 (2007), and endorses the recommendation made by the Secretary-General in paragraph 20 of his report S/2008/586 to maintain the current Mission configuration until the planned substantial increase of the Haitian National Police capacity allows for a reassessment of the situation, taking into account the need to adjust MINUSTAH's composition and realign its activities to reflect the changing circumstances and priorities on the ground, including the need to further strengthen the training of the Haitian National Police;

3. *Decides*, therefore, that MINUSTAH will continue to consist of a military component of up to 7,060 troops of all ranks and of a police component of a total of 2,091 police;

4. *Recognizes* the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country's stabilization, *recognizes* the role of MINUSTAH in supporting the Government's efforts in this regard, and *encourages* the Government of Haiti to continue to take full advantage of

international support to enhance its capacity, which is indispensable for the sustainable success of MINUSTAH;

5. *Expresses* its full support for the Special Representative of the Secretary-General, notably in his efforts related to improving stability and governance in close cooperation with the Government of Haiti, and reaffirms his authority in the coordination and conduct of all activities of United Nations agencies, funds, and programmes in Haiti;

6. *Reaffirms* its call upon MINUSTAH to support the political process under way in Haiti, including through the good offices of the Special Representative of the Secretary-General, and, in cooperation with the Government of Haiti, to promote an all-inclusive political dialogue and national reconciliation, and to provide logistical and security assistance for the upcoming electoral process, in particular the elections which were scheduled to take place in November 2007, to fill the Senate seats that were left vacant with the end of the mandate of one third of the Senators on 8 May 2008;

7. *Recognizes* the importance of resolving political differences through dialogue and *encourages* the Special Representative of the Secretary-General to facilitate this dialogue between the Government of Haiti and all relevant political actors in order to ensure that the democratically elected political institutions can continue carrying forward the reform work laid out in the National Strategy for Growth and Poverty Reduction Paper (DSNCRP);

8. *Welcomes* the continuing contribution of MINUSTAH to the Government of Haiti's efforts to build institutional capacity at all levels and *calls upon* MINUSTAH, consistent with its mandate, to expand such support to strengthen self-sustaining state institutions, especially outside Port-au-Prince, including through the provision of specialized expertise to key ministries and institutions;

9. *Requests* that MINUSTAH continue its support of the HNP as deemed necessary to ensure security in Haiti, and encourages MINUSTAH and the Government of Haiti to continue to undertake coordinated deterrent actions to decrease the level of crime and violence;

10. *Recognizes* the need for improving and enhancing the efforts in the implementation of the HNP Reform Plan and *requests* MINUSTAH, consistent with its mandate, to remain engaged in assisting the Government of Haiti to reform and restructure the HNP notably by supporting the monitoring, mentoring, training and vetting of police personnel and strengthening of institutional and operational capacities, while working to recruit sufficient individual police officers to serve as instructors and mentors of the HNP, consistent with its overall strategy to progressively transfer geographic and functional responsibility for conventional law and order duties to its Haitian counterparts in accordance with the HNP Reform Plan;

11. *Invites* Member States, including neighbouring and regional States, in coordination with MINUSTAH, to engage with the Government of Haiti to address cross-border illicit trafficking of persons, drugs, arms and other illegal activities, and to contribute to strengthening HNP capacity in these areas;

12. *Requests* MINUSTAH to provide technical expertise in support of the efforts of the Government to pursue an integrated border management approach,

with emphasis on state capacity-building, and *underlines* the need for coordinated international support for Government efforts in this area;

13. *Welcomes* the imminent deployment of MINUSTAH's sixteen maritime patrol boats in support of the Haitian National Police's Coast Guard responsibilities in protecting and patrolling the maritime borders of Haiti;

14. *Recognizes* the need for MINUSTAH to continue its efforts to patrol along maritime and land border areas in support of border security activities by the HNP, and *encourages* MINUSTAH to continue discussions with the Government of Haiti and Member States to assess the threats along Haiti's land and maritime borders;

15. *Requests* the United Nations country team, and *calls upon* all actors, to complement security and development operations undertaken by the Government of Haiti with the support of MINUSTAH with activities aimed at effectively improving the living conditions of the concerned populations and *requests* MINUSTAH to continue to implement quick-impact projects;

16. *Condemns* any attack against personnel or facilities from MINUSTAH and *demands* that no acts of intimidation or violence be directed against the United Nations and associated personnel or facilities or other actors engaged in humanitarian, development or peacekeeping work;

17. *Welcomes* the steps taken towards the reform of rule of law institutions, *requests* MINUSTAH to continue to provide necessary support in this regard, and *encourages* the Haitian authorities to take full advantage of that support, notably in modernizing key legislation and in the implementation of the justice reform plan, the establishment of the Superior Council of the Judiciary, the reorganization and standardization of court registration processes and the management of cases, and the need to address the issue of prolonged pretrial detentions;

18. *Encourages* also the implementation of the strategic plan of the National Prison Administration, and supports the strengthening of the Mission's capacity, as referred to in paragraph 42 of the Secretary-General's report (S/2008/586), in particular to address prison overcrowding, and requests MINUSTAH to remain engaged in supporting the mentoring and training of corrections personnel and strengthening of institutional and operational capacities;

19. *Requests* MINUSTAH to continue to pursue its community violence reduction approach, including through support to the National Commission on Disarmament, Dismantlement and Reintegration and concentrating its efforts on labour-intensive projects, the development of a weapons registry, the revision of current laws on importation and possession of arms, reform of the weapons permit system and the promotion of a national community policing doctrine;

20. *Reaffirms* MINUSTAH's human rights mandate and calls on the Haitian authorities to continue their efforts to promote and protect human rights, and calls on MINUSTAH to continue to provide human rights training to the HNP and other relevant institutions, including the correctional services;

21. *Strongly condemns* the grave violations against children affected by armed violence, as well as widespread rape and other sexual abuse of girls, and *requests* MINUSTAH to continue to promote and protect the rights of women and

children as set out in Security Council resolutions 1325 (2000), 1612 (2005), and 1820 (2008);

22. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance of all MINUSTAH personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse, and to keep the Council informed, and *urges* troop-contributing countries to ensure that acts involving their personnel are properly investigated and punished;

23. *Calls upon* MINUSTAH and the United Nations country team to further enhance their coordination and, in concert with the Government of Haiti and international partners, help ensure greater efficiency in the implementation of the National Strategy for Growth and Poverty Reduction Paper (DSNCRP) in order to achieve progress in the area of socio-economic development, which was recognized essential for the stability in Haiti in the Consolidation Plan of the Secretary-General, and address urgent development problems, in particular those caused by recent hurricanes;

24. *Recognizes* the need for a high-level donor conference to lend its support to the DSNCRP, and in this regard calls upon the international community, in particular donor countries and partners of Haiti and multilateral institutions, in cooperation with the Haitian authorities, to devise and implement under the leadership of the Haitian authorities, an efficient aid coordination system, based on mutual responsibility, which would focus on short-term immediate needs, as well as medium- and long-term reconstruction requirements, and also *encourages* donors and partners of Haiti to accelerate the disbursement of their pledges as a contribution to development and stability in Haiti;

25. *Welcomes* progress made by MINUSTAH in communications and public outreach strategy, and requests it to continue these activities;

26. *Welcomes* the work done by the Secretary-General to develop five benchmarks and indicators to measure progress being made towards the consolidation of stability in Haiti and *requests* the Secretary-General to continue updating the Consolidation Plan on the basis of the outline provided, in consultation with the Government of Haiti, taking into account the DSNCRP, as appropriate, and to inform the Council accordingly in his reports;

27. *Requests* the Secretary-General to report to the Council on the implementation of MINUSTAH's mandate semi-annually and not later than 45 days prior to its expiration;

28. *Requests* also the Secretary-General to include in his reports a comprehensive assessment of threats to security in Haiti, taking into account a review of the activities and composition of MINUSTAH, its coordination with the United Nations country team and other development actors and the need for poverty eradication and sustainable development in Haiti, and to propose, as appropriate, options to reshape the composition of MINUSTAH;

29. *Decides* to remain seized of the matter.